

### **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 and 3 are currently being amended. Claim 4 has been cancelled. Claims 5 and 6 have been added.

This amendment adds, cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After adding, canceling and amending the claims as set forth above, claims 1, 3 and 5-6 are now pending in this application.

### **Claim Objections**

Claim 4 was objected to, because it was “a duplicate of claim 3 and should be canceled to fix this deficiency.” Due to the cancellation of claim 4, this objection is now moot.

### **Prior Art Rejections**

Claims 1, 3 and 4 were rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent Publication No. 2004/0245584 (“Murakawa”) in view of U.S. Patent No. 6,830,652 (“Ohmi”). Further, Applicants respectfully traverse the rejection with respect to the presently pending claims under rejection, for the reasons set forth below.

Applicants respectfully submit that Murakawa and Ohmi, alone or in combination, do not describe each and every element of the claims.

Presently pending independent claim 1 recites, among other things, that **the nitrous oxide gas is provided to the lower shower plate from a gas discharge tube provided at only one end of the lower shower plate, to thereby be discharged through respective openings of the lower shower plate into the process chamber**. See, for example, the single process gas inlet 111 provided at one end of the lower shower plate 112 in Figure 1 of the drawings.

Turning now to the cited art of record, the Office Action assert that Ohmi teaches a lattice-like shower plate which corresponds to the claimed lower shower plate. However, as is clear from Figure 1 of Ohmi, process gas is provided to the lattice-like shower plate 113 from both ends of the lattice-like shower plate 113, via inlets 111 on the left and right sides of the lattice-like shower plate 113.

Ohmi's structure is more complex and costlier than the claimed structure, and one of ordinary skill in the art would not be motivated to change Ohmi's structure to have only one inlet for his lattice-like shower plate 113, unless that person had hindsight knowledge of the claimed invention.

Accordingly, since Murakawa does not rectify these deficiencies of Ohmi presently pending independent claim 1 patentably distinguishes over the cited art of record.

#### **New Claims**

New claims 5 and 6 have been added to recite additional features of the present invention that are not believed to be taught or suggested by the cited art of record, when taken as a whole. Support for new claim 5 may be found in Figure 1 of the drawings, and support for new claim 6 may be found in paragraph 0026 of the specification.

#### **Conclusion**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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